

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

REGENXBIO INC. and THE TRUSTEES OF
THE UNIVERSITY OF PENNSYLVANIA,

Plaintiffs,

v.

SAREPTA THERAPEUTICS, INC. and
SAREPTA THERAPEUTICS THREE, LLC,

Defendants.

C.A. No. 20-1226 (RGA)

JURY TRIAL DEMAND

[PROPOSED] FINAL JUDGMENT

On January 5, 2024, the Court granted Defendants Sarepta Therapeutics, Inc.’s, and Sarepta Therapeutic Three, LLC’s, motion for summary judgment that claims 1-9, 12, 15, and 18-25 of U.S. Patent No. 10,526,617 are invalid under 35 U.S.C. § 101. (D.I. 233.) The Court denied Defendants’ summary judgment motion of non-infringement and denied Plaintiffs’ summary judgment motion of no invalidity under 35 U.S.C. § 101. (*Id.*). The Court dismissed the remaining summary judgment motions as moot. (*Id.*).

IT IS HEREBY ORDERED AND ADJUDGED that:

1. For the reasons stated by the Court in the memorandum opinion on summary judgment (D.I. 232) claims 1-9, 12, 15, and 18-25 of U.S. Patent No. 10,526,617 are **INVALID** under 35 U.S.C. § 101.
2. Pursuant to Federal Rule of Civil Procedure 58, Final Judgment is hereby entered in favor of Defendants and against Plaintiffs.
3. All other claims, defenses, and pending motions are **DISMISSED** without prejudice as moot, subject to reinstatement upon reversal or remand.

4. The deadline for any party to move for attorneys' fees (including under 35 U.S.C. § 285) is extended until thirty (30) days after the time for appeal has expired or, if an appeal is timely filed, within thirty (30) days after issuance of the mandate from the Court of Appeals, and no party shall file any such motion before that time.

SO ORDERED this ____ day of _____, 2024.

United States District Judge